

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOSEPH GLENN VANY,

Petitioner,

Case No. 1:11-cv-951

v.

Honorable Robert J. Jonker

DEBRA SCUTT,

Respondent.

ORDER OF TRANSFER

This is a habeas corpus proceeding brought by a state prisoner pursuant to 28 U.S.C. § 2254. On February 2, 2009, Petitioner was convicted in the Oakland County Circuit Court of seven counts of uttering and publishing, MICH. COMP. LAWS § 750.249. He was sentenced to a prison term of six to twenty years on each count, to run concurrently.

Venue in habeas corpus actions is governed by 28 U.S.C. § 2241. That statute allows a petition to be filed either in the district where petitioner is in custody or in the district in which petitioner was convicted. 28 U.S.C. § 2241(d). Petitioner presently is incarcerated at the Parnall Correctional Facility, located in Jackson County. As set forth above, Petitioner was convicted in Oakland County. Both Oakland County and Jackson county are located in the Eastern District of Michigan. 28 U.S.C. § 102(a). Venue, therefore, lies in that district, not in the Western District of Michigan.

Accordingly, IT IS ORDERED that this case is hereby transferred to the United States District Court for the Eastern District of Michigan pursuant to 28 U.S.C. § 1406(a).

Dated: September 19, 2011

/s/ Hugh W. Brenneman, Jr.
HUGH W. BRENNEMAN, JR.
United States Magistrate Judge